BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

BILLIE J. DESHAZER	
Claimant)	
VS.	
)	Docket No. 241,169
CLASSIC FLOORS, INC.	·
Respondent)	
AND)	
)	
STATE FARM FIRE & CASUALTY COMPANY)	
Insurance Carrier)	

NUNC PRO TUNC ORDER

This Nunc Pro Tunc Order will modify the Order issued by the Workers Compensation Appeals Board on March 8, 2001, wherein claimant was awarded permanent partial disability compensation based upon an agreed 3.5 percent scheduled injury to the leg. In the Board's initial Order the award was improperly calculated using 415 weeks instead of the 200 weeks provided by the schedule in K.S.A. 44-510d(a)(16). This Nunc Pro Tunc Order corrects the award of the Appeals Board to show the appropriate number of weeks of permanent partial disability compensation due claimant.

AWARD

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Award entered by Administrative Law Judge Julie A. N. Sample dated August 25, 2000, should be, and is hereby, reversed and benefits awarded.

WHEREFORE, AN AWARD OF COMPENSATION IS HEREBY MADE IN ACCORDANCE WITH THE ABOVE FINDINGS IN FAVOR of the claimant, Billie J. DeShazer, and against the respondent, Classic Floors, Inc., and its insurance carrier, State Farm Fire & Casualty Company, for an accidental injury which occurred July 9, 1997 and based upon an average weekly wage of \$240.00 for 4 weeks of temporary total disability compensation at the rate of \$160.01 per week or \$640.04, followed by 6.86 weeks of permanent partial disability compensation at the rate of \$160.01 per week or \$1,097.67, for a 3.5% loss of use of the leg, making a total award of \$1,737.71, which is ordered paid in one lump sum less amounts previously paid.

In all other respects the Board's March 8, 2001 Order remains in full force and effect.

IT IS SO ORDERED.
Dated this day of April 2001.
BOARD MEMBER
BOARD MEMBER
BOARD MEMBER

c: Chris Miller, Lawrence, KS Rex W. Henoch, Lenexa, KS Julie A. N. Sample, Administrative Law Judge Philip S. Harness, Director